

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**PETER T. SENESE,**

**Plaintiff,**

**-against-**

**KARL E. HINDLE,**

**Defendant.**  
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**MEMORANDUM  
AND ORDER**

**11-CV-72 (RJD)**

**ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:**

Currently pending before this Court is a motion filed by pro se plaintiff Peter T. Senese (“plaintiff”), see Plaintiff’s Motion in Opposition (Apr. 29, 2011) (“Pl.’s Opp. Motion”), ECF Docket Entry (“D.E.”) #23, regarding several motions and claims previously filed by pro se defendant Karl Hindle (“defendant”), including a Motion to Quash Temporary Restraining Order (Feb. 14, 2011), D.E. #9, which TRO was obtained by plaintiff against defendant in Kings County Supreme Court, before this action was removed to federal court; a Motion to Quash Warrant or Arrest and Dismiss Finding of Contempt (Feb. 14, 2011), D.E. #10, which warrant and finding of contempt were likewise issued by the New York state court; a Motion to Transfer Venue to the Eastern District of Virginia (Feb. 14, 2011), D.E. #10; and defendant’s Counterclaims (Apr. 14, 2011) (“Counterclaims”), D.E. #18 (collectively, “Defendant’s Motions”). Plaintiff claims that he “was not served the full content of these motions, and thereby service upon the Plaintiff was incomplete.” Pl.’s Opp. Motion at 2. He therefore requests that the court records pertaining to Defendant’s Motions not be made available as

public records because plaintiff claims not to have access to the exhibits attached to Defendant's Motions.

Plaintiff further requests that the Court strike defendant's Motion to Compel Full Disclosure of All Affidavits and Supporting Documents and Evidence (Mar. 31, 2011) ("Def.'s Motion to Compel"), D.E. #15; defendant's Motion to Dismiss (Apr. 25, 2011) ("Def.'s Motion to Dismiss"), D.E. #20; and the Counterclaims because, in the case of Defendant's Motion to Compel and Defendant's Motion to Dismiss, defendant served plaintiff at the incorrect address, and, according to plaintiff, did not disclose any of the exhibits attached to the Counterclaims. See Pl.'s Opp. Motion at 3-4. Defendant allegedly served plaintiff at 1625 East 55th Street, Brooklyn New York 11234, whereas the plaintiff uses the address of 2015 East 55th Street, Brooklyn New York 11234. See id. Plaintiff further requests that the records pertaining to both Defendant's Motion to Compel and Defendant's Motion to Dismiss not be made available to the public because plaintiff does not know the full content of the motions.

To the extent that defendant failed to serve plaintiff, at the correct address, with the full content (including exhibits) of the motion and counterclaims, defendant is hereby ordered to serve plaintiff, by May 11, 2011, the full content of all filings with the Court, at the address identified by plaintiff, 2015 East 55th Street, Brooklyn New York 11234.<sup>1</sup> Plaintiff's motion to dismiss defendant's counterclaims and to withhold records from the public is denied.

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<sup>1</sup> To the extent plaintiff desires access at an earlier date, he may obtain the public records from the Clerk's Office of this Court.

The Clerk is directed to enter this Memorandum and Order into the ECF system and to transmit copies, via Federal Express, to both parties.

**SO ORDERED.**

**Dated: Brooklyn, New York  
May 4, 2011**

**ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE**